

THE WHITE HOUSE

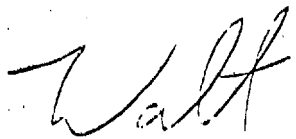
WASHINGTON

August 4, 1972

MEMORANDUM FOR THE COORDINATING SUBCOMMITTEE

SUBJECT: SECTION 481 INVESTIGATION PROCEDURES

Attached are the proposed procedures for conducting §481 investigations which we finalized at our last meeting.



Walter C. Minnick

Attachment

PROPOSED PROCEDURES FOR DETERMINING WHETHER FOREIGN ASSISTANCE SHOULD BE TERMINATED FOR FAILURE TO TAKE ADEQUATE STEPS AGAINST NARCOTICS TRAFFICKING

Section 481 of the Foreign Assistance Act of 1961, as amended, states in part: "The President shall suspend economic and military assistance furnished under this or any other Act, and shall suspend sales under the Foreign Military Sales Act and under Title I of the Agriculture Trade Development and Assistance Act of 1954, with respect to any country when the President determines that the government of such country has failed to take adequate steps to prevent narcotic drugs and other controlled substances (as defined by the Comprehensive Drug Abuse Prevention and Control Act of 1970) produced or processed, in whole or in part, in such country, or transported through such country, from being sold illegally within the jurisdiction of such country to United States Government personnel or their dependents, or from entering the United States unlawfully. Such suspension shall continue until the President determines that the government of such country has taken adequate steps to carry out the purposes of this chapter."

Additionally, the International Development Association Act, the Inter-American Development Bank Act, and the Asian Development Bank Act were amended in March, 1972, and now contain provisions which require the Secretary of Treasury to instruct the United States

Executive Directors of the above institutions as well as the Executive Directors of the above institutions as well as the Executive Director of the International Bank for Reconstruction and Development "to vote against any loan or other utilization of the funds of the Bank (and the Association) for the benefit of any country with respect to which the President has made a determination, and so notified the Secretary of the Treasury, that the government of such country has failed to take adequate steps to prevent narcotic drugs and other controlled substances (as defined by the Comprehensive Drug Abuse Prevention and Control Act of 1970) produced or processed, in whole or in part, in such country... Such instruction shall continue in effect until the President determines, and so notifies the Secretary of the Treasury, that the government of such country has taken adequate steps to prevent such sale or entry of narcotic drugs and other controlled substances."

An effective mechanism is required to support the President in fulfilling his responsibility under the above cited legislation.

Within the organizational structure of the Cabinet Committee on International Narcotics Control (CCINC), the Coordinating Subcommittee is hereby charged with responsibility for monitoring the anti-drug efforts of individual countries to assure that adequate steps are being taken by each to prevent narcotic drugs and other controlled substances produced or processed, in whole or in part, in such country, or trans-

ported through such country from being sold illegally within the jurisdiction of such country to United States Government personnel or their dependents, or from entering the United States unlawfully.

In performing this monitoring function, the CCINC Coordinating Subcommittee should focus particular attention on the more than fifty countries identified as those with which cooperative efforts could result in a significant decrease in the illicit drug problem.

The following criteria will be applied by the CCINC Coordinating Subcommittee in determining whether there is a prima facie case for questioning the adequacy of a country's performance:

1. Has a country failed to give assurance at a high level that it will cooperate with the United States and other nations to control production and processing of, and trafficking in narcotic drugs as defined by the Comprehensive Drug Abuse Prevention and Control Act of 1970 (Public Law 91-513)?
2. Has a country failed to enact adequate narcotics control laws within a reasonable time after this deficiency was called to the attention of its government?
3. Is there evidence of substantial violation of treaty obligations or bilateral agreements relating to control of the production, processing or trafficking in narcotics drugs?

4. Does hard evidence exist that high level government officials are involved in illicit narcotic drug production, processing or trafficking and does such involvement continue after this evidence has been brought to the government's attention?

5. Has a country declined to take steps to improve the effectiveness of its narcotics enforcement capability within a reasonable time after this deficiency was called to the attention of its government?

6. Has a country failed to take adequate steps to correct other narcotic control deficiencies after such deficiencies have been called to its attention by another government or international agency?

When the CCINC Coordinating Subcommittee identifies any country which it believes may have failed to take adequate steps to control the illicit drug traffic, the Coordinating Subcommittee will direct the appropriate CCINC Regional Interagency Narcotics Control Committee to undertake an in-depth review of that country's performance.

At the time the Coordinating Subcommittee directs a review to be undertaken it will provide to the Regional Committee whatever guidance it deems appropriate.

After finishing its review, the CCINC Regional Committee will prepare a document setting forth the relevant facts and recommendations for consideration by the CCINC or any group designated by the CCINC.

If the CCINC concludes that a country "has failed to take adequate steps," the Secretary of State, as Chairman of the CCINC, will forward to the President a recommendation for a Presidential determination to that effect.

Following an affirmative Presidential determination, the Cabinet Committee will ensure that all appropriate steps are taken to implement the statutory provisions <sup>suspending</sup> terminating foreign assistance and related support to the country involved.

PROPOSED PROGRAM

Washington Conference of Drug Control Coordinators

Dates: October 16 - 18, 1972 (tentative)

Place: Department of State, Main Conference Room

Participants: Drug Control Coordinators from 54 countries  
and U.S. Mission in Geneva (List attached)

Organizer: Office of Narcotics Matters (S/NM)  
U.S. Department of State

Contacts: Nelson Gross, Senior Adviser to the  
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FIRST DAY - October 16, 1972

Washington Presentation

9:15 A.M.	William P. Rogers, Secretary of State: Chairman of the Cabinet Committee for International Narcotics Control (CCINC)	Welcoming remarks; Conference Program
9:25 A.M.	Egil Krogh, Executive Secretary of the CCINC, White House Staff	Overall Federal Program--Supply and Demand
9:40 A.M.	Nelson Gross, Senior Adviser and Coordinator for International Narcotics Control	Diplomatic Strategy and International Controls (20 minute presentation; 30 minutes for Questions and Answers)
10:30 A.M.	Fifteen minute break	
10:45 A.M.	Myles J. Ambrose, Special Consultant to the President for Drug Abuse Law Enforcement	Domestic Law Enforcement Strategy (30 minute presentation; 15 minutes for Questions and Answers)

11:30 A.M.	John Lingersoll, Director, Bureau of Narcotics and Dangerous Drugs	UNDO Operations, At Home and Abroad (30 minute presenta- tion; 15 minutes for Questions and Answers)
12:15 P.M.	LUNCH	
2:00 P.M.	Eugene T. Rossides, Assistant Secretary of the Treasury for Enforcement, Tariff and Trade Affairs and Operations	Overview of Treasury Roles--Customs, IRS, Economic Aspects (15 minute presenta- tion)
	Vernon Acree, Director, Bureau of Customs	Customs Operations At Home and Abroad (20 minute presenta- tion; 15 minutes for Questions and Answers: Rossides and Acree)
2:50 P.M.	Richard Helms, Director, Central Intelligence Agency	The Role of Intelli- gence in International Narcotics Control (15 minute presenta- tion; 10 minutes for Questions and Answers)
3:15 P.M.	Samuel DePalma, Assistant Secretary for International Organization Affairs Department of State	Principal Multilateral Efforts in Drug Control Control (15 minute presenta- tion; 10 minutes for Questions and Answers)
3:40 P.M.	Ten minute break	
3:50 P.M.	Dr. Jerome Jaffe, Director, Special Action Office for Drug Abuse Prevention	Prevention, Treatment and Research Programs (30 minute presenta- tion; 15 minutes for Questions and Answers)
4:35 P.M.	General Robert Gard, Director Discipline and Drug Policies, U.S. Army	Military Drug Program (15 minute presenta- tion; 10 minutes for Questions and Answers)
5:00 P.M.	Fifteen minute break. Group should move to _____.	
5:15 P.M.	The President (Introduced by Secretary Rogers)	Significance of Inter- national Narcotics Controls Role of U.S. Missions Abroad (10 minute presenta- tion; Press invited)

PROPOSED PROGRAM (cont.)

SECOND DAY - October 17, 1972

Regional Meetings

9:00 A.M. to 5:00 P.M. -- Drug Control Coordinators will split up into four regional workshops as follows:

Group I - AF and NEA (10 countries)

Group II - ARA (13 countries)

Group III - EUR (18 countries and Mission Geneva)

Group IV - EA (13 countries)

A ranking regional bureau official will serve as chairman for each group. The bulk of the day will be used for presentation of individual country reports, recommended to be no longer than fifteen minutes in length. A late afternoon work session should be devoted to putting together a report for presentation the following day on the major problems of each regional area and the prospects for future developments.

THIRD DAY - October 18, 1972

Conclusions and Recommendations

9:00 A.M. to 5:00 P.M. -- The morning will be used for presentation of regional reports. The bulk of the afternoon session will be devoted to a general discussion of special problems and future policies. Representatives of the Cabinet Committee agencies will be on hand to respond to questions raised by conference participants.

The afternoon could also be used for presentation at the White House and joint participation by others concerned, including BNDD, Customs and other agencies' regional personnel. This presentation might also feature special reports by the Ambassadors from key countries, e.g., Turkey, France, Thailand and Mexico.

IN WASHINGTON CONFERENCE FOR DRUG CONTROL COORDINATORS

Bureau of African Affairs

Morocco	Tunisia
Algeria	Libya

Bureau of Near Eastern and South Asian Affairs

Afghanistan	Pakistan
India	Turkey
Iran	Lebanon

Bureau of Inter-American Affairs

Mexico	Argentina
Panama	Brazil
Colombia	Ecuador
Bolivia	Uruguay
Chile	Venezuela
Paraguay	Peru
Jamaica	

Bureau of European Affairs

France	Austria	Hungary
Germany	Spain	Switzerland
Italy	England	Belgium
Yugoslavia	Denmark	Canada
Bulgaria	Sweden	Luxembourg
Romania	Czechslovakia	Netherlands
U.S. Mission Geneva		

Bureau of East Asian and Pacific Affairs

Burma	Viet Nam
Cambodia	Hong Kong
Laos	Singapore
Philippines	Korea
Thailand	Malaysia
Japan	Australia
Indonesia	